

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HEMANT MEHTA, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

CADBURY SCHWEPPE SBS, INC.,
SNAPPLE BEVERAGE CORPORATION,
SNAPPLE DISTRIBUTORS, INC., and JOHN
DOEs 1-50 (representing one or more persons or
entities involved in the manufacture, sale and/or
distribution of the products identified herein but
whose identity is currently unknown),

Defendants.

Civil Action No. 07-CIV-6262 (LMM)

ORDER

THIS MATTER having come before this Court on Defendants' Motion to Dismiss Plaintiff's Complaint, and the Court having reviewed the submissions of the parties, and considered the arguments of counsel, and for good cause shown;

IT IS on this _____ day of _____, 2007;

ORDERED that Defendants' Motion to Dismiss be and hereby is GRANTED; and

IT IS FURTHER ORDERED that Plaintiff's Complaint be and hereby is DISMISSED in its entirety with prejudice; and

IT IS FURTHER ORDERED that a copy of this Order shall be served on all counsel of record within five (5) days of its receipt, unless electronically served by the Court.

THE HONORABLE LAWRENCE M. MCKENNA, U.S.D.J.